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8Subject
Petition to Revival
Application No.: 10/551325Reference
Our Ref 100870-1P USWRONG
#

Please see attached documents

10/550.039

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

10/551325

Filing Date

September 23, 2005

First Named Inventor

Michael Barry Gravestock

Art Unit

Not yet known

Examiner Name

Not yet known

Attorney Docket Number

100870-1P US

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/
Incomplete Application
- ☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☒ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation
Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify
below):
- Copies of Petition for Revival
documents

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

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Signature

Printed name

Heidi M. Berven

Date

Nov 29 2005

Reg. No.

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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Audrey Williams

Date

November 29, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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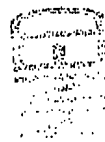
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Attorney Docket No.: 100870-1P U3

1 of 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gravestock et al	Filed: Herewith
Application No.: Not yet assigned	Attorney Docket No.: 100870
PCT Application No.: PCT/CB2004/001119	Examiner: Not yet assigned
Title: ANTIBACTERIAL 1,3-OXAZOLIDIN-2-ONE DERIVATIVES	

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**COMMUNICATION SUBMITTED WITH PTO/SB/64
PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

As provided in PTO/SEI/64 attached herewith, Form PTO-1390 and the relevant fee for the captioned application was due for submission to the United States PTO on September 20, 2005. Form PTO-1390 and the relevant fee were unintentionally filed on September 21, 2005. Applicants hereby respectfully request revival of the application and reinstatement of Applicants' priority rights under 37 C.F.R. § 1.137(b), in light of PCT Rule 82.2.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 50-3231, referencing Attorney Docket No. 100870.

Respectfully submitted,

Name: Heidi Berven
Dated: Sept 23, 2005
Reg. No.: 48,951
Phone No.: 781-839-4336
Global Intellectual Property, Patents,
AstraZeneca R&D Boston,
35, Gatehouse Drive,
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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number
(Optional)
100870-1P-US

First Named Inventor: Michael Barry Gravestock

International (PCT) Application No.: FCT/GB2004/001119

U.S. Application No.:
(if known)

Filed: March 20, 2003

Title: Antibacterial 1,3-Oxazolidin-2-one Derivatives

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Legal Staff
International Division

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee \$ See 1 (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
Form PTO-1390 (identify type of reply):

☒ has been filed previously on See 2 in Addendum

☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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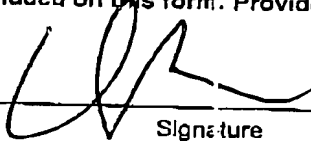
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3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

- 4. Statement.** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

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Signature

Sept. 23

Date

Heidi M. Berven

Typed or Printed Name

48,951

Registration Number, if applicable

AstraZeneca R&D Boston

Address

781-839-4336

Telephone Number

35 Gatehouse Drive Waltham MA 02451

Address

- Enclosures: ☒ Response
- ☒ Fee Payment
- ☐ Terminal Disclaimer

☒ Other (please identify): Copies of Form 1390 and associated information

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Addendum

1. 1500. Please charge Deposit Account No. 50-3231, referencing Attorney Docket No. 100870-1P-US
2. Septemer 21, 2005. The fee and 1390 form were due on September 20, 2005. The fee and form were unintentionally filed on September 21, 2005.

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**EXPRESS MAIL LABEL NO: ED 908733412 US**

In re: US National Entry

Title: ANTIBACTERIAL 1,3-OXAZOLIDIN-2-ONE DERIVATIVES

Inventor (s): Gravestock et al

Date Filed: Herewith

Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

1. Petition for Revival of an Application (3 sheets)
2. Communication submitted with PTO/SB/64 (1 sheet)
3. Attachments (7 documents)
4. Postcard

Attorney Docket No.: 100870-1P US Ref: HBE/aw



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